~~Lucke to write me about (illegible)~~

~~forwarded with compliments~~ D-C Shimoga

App F IX 4

Previous References 1947 (ml) The File No 7-47

Serial Nos 4041

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for February

SUBJECT

Commutation of leave without allowance to Shivamma Municipal Daffadar Bruns into leave to which he was entitled

L 13934 & 25 2-48

I

C. Chelkmagalur

Dy

Notes that the proposal for — does not commend itself to Govt.

1942/ml

Commutation of L W A of Shevanna, Municipal Daffedar Borrow into leave he was entitled to

From

The Dy Commr, Chickamagalur Dt

No A3 & R 134/47-40 dt 3 10 40

Requests sanction to the waiving of audit objection in Regard to the commutation of the unauthorised absence of Shevanna, Municipal Daffedar, Birrur from 6 9-39 to 31-12-39 into leave with allowances and to the condonation of the interruption of Service on the absence of an order Communicated to the audit office within three months by the authority as per Rules

1) The Services of this Daffedar appear were dispensed with on 6-9 39 for unauthorised absence and unsatisfactory work Subsequently on his Representation he was Reinstated on 1-1-40 Treating the intervening period as follows

privilege leave — 0-0-12

Hoorlough on full average salary — 0-2-6

Leave without allowance 0-1-8

0 3-26

2) The Commutation of the unauthorised absence into leave with allowances has been objected to on audit as being Contrary to the provisions of Arts 145 and 270 M S R with

1947/ont

It has also been observed that the non-Communication within three months of condonation of this absence to the audit office has constituted interruption of service

3) The municipal Corporation has put in 26½ yrs of service and any break as observed in the above audit note would operate on him as a great hardship The Municipal Council of Bowen has therefore resolved at its meeting held on 23-7-47 to seek sanction of Govt to waive the audit objection taken with regard to his pay and the break of service

4) The Comptroller may also perhaps be consulted

No NO 134/7/11/47.

Rs 24/10/47 Pl. see 5) Forwarded with Compliments to the Comptroller to the Government of Mysore for favour of remarks on the proposal

Yours obediently

[illegible]

Secretary

COMPTROLLER'S OFFICE
DON 215
Dt 7/11/47
Special Section
BANGALORE

[illegible]
7/11/47

Comptroller's Office

1942 Conf

File No

of 194

Serial No

259/2148

U O No 220/CLAD dated the 22-12-1947

6) Returned with Compliments

7) According to Article 145(4) and 270 of M S R period of abse ce without leave can only be commuted into leave without allowances and hence the commutation of the period of absence of the official from 6-9-39 to 31-12-39 into privilege leave and furlough is inadmissible In the case under reference, it is reported that the services of the official were dispensed with from 6-7-39 on account of unauthorised absence and his past service also interrupted due to failure to intimate the Audit Office by the competent authority within 3 months of reinstatement that his previous service shall not be forfeited as per Article 269(b) M S R In the circumstances there are no grounds for showing him any concession and only his previous service may be allowed to count for pension under special sanction as per Article 268 M S R

REVENUE SECRETARIAT No Dept GOVERNMENT OF MYSORE

A

4513 12/1

for Comptroller

8) The above opinion of the Comptroller is for perusal and orders

6/1/48 for 5-1-48

9) Financial Secy may be consulted in the matter

Financial Secy's views

9/1/48

9/1/48

1—Contn Sheet

Commutation of L W A of Shivanna - Bowen Rly

1942
mel

File No 1942/mel of 1947 8

Comptroller's Office

Serial No

10) I agree with the Views of the Comptroller Rev Secy WC) £12.1.48 4513/IC

15/1

11) The Recommendation of the Audit Officer to waive the audit objection with regard to the treatment of Shivannas absence as leave, and the condonation of the interruption of her Service caused by failure to reinstate herself within three months to the audit Office as prescribed for orders on the light of the above opinion

15/1/48 Rec 16/1/48

as at A supra which has been endorsed by the Treasurer Secretary may be accepted

16/1/48

I agree

Minister L.S.G.) 15/1/48 Rec 15/2/48

THE MINISTER FOR LOCAL SELF GOVERNMENT
No 1160
Date

1941/17/1

15/1/48

Draft Letter to be put up for approval 16/1/48

Rec 15/2 Rec 17/2/48

17/2/48

1942/ml

To the Dy Comm Electromagnetic Ltd
No L 13934/ml 7 47-41 Dy 25-2-48

Votes No proposal

B 28 2-48

Ml 747-40

No A3-P P 134/47-48 Office of the Deputy Commissioner,
Enc Chickmagalur District,
Chickmagalur, dated the 3rd October 1947

From

The Deputy Commissioner,
Chickmagalur District,
Chickmagalur

To

The Secretary to Government,
Revenue Department,
Bangalore

Sir,

In forwarding herewith the file of records ending with report No P C 76 A(J)/46-47 dated 13-3-47 from the President, Town Municipal Council, Birur on the matter of commutation of the period of absence without leave from 6-9-39 to 31-12-1939 into leave with allowances in respect of the service of Shivanna, unicipal Daffedar, Birur, Town Municipality, I have the honour to state that it is seen from the records that the services of Shivanna were dispensed with on 6-9-39 on the ground that he was absent without permission and that his work was not satisfactory. On a representation made by the official, he was taken on duty from 1-1-1940 and is being continued The period of his absence is treated as leave to which he was entitled to as noted below by the President on 15-5-41

Privilege leave	0-0-12
Furlough on full average salary	0-2-6
Leave without allowances	0-1-8
Total -	0-3-26

The Assistant Comptroller in the notes on the audit of the accounts of the Birur Town Municipality for the years 1939-40 and 1940-41 states that according to Articles 145 and 270 of M S R the period of absence without leave can only be commuted into leave without allowances and that the privilege and furlough leave granted to him is inadmissible and the salary paid for the period may be recovered He further states that under Article 209 (b) of M S R his past service has also been interupted as it has not been declared in an order communicated to the audit office within three months by the authority, whose duty it is to make the appointment, that his previous service or part of it shall not be forfeited

On representation of the Official, the subject was also placed before the Municipal Council, Sirur on 28-3-45 and they have resolved to recommend to Government to waive the objection as prayed for by the Official.

In the circumstances, I request you kindly to obtain sanction of Government to the proposal of the Municipal Council to waive the objection raised by the Assistant Comptroller on the above two points as a special case.

I have the honour to be
Sir,
Your most obedient servant,

Deputy Commissioner,
Chickmagalur District

HPR

No L

yc copy L. 13934/ml 7-47-41

To AM 25/2/48

The Dy Commr

Chickamagalur District

—

Subject Commutation of L W A of Shivamma Municipal Sweeper, Birur into Casual Leave to which he was entitled to

—

Sir

With Reference to your Cell No M B P R 134/47 48, dated 3 10 47, Recommending Sanction to Grant the casual absence with Regard to the Commutation of the period of absence of the above Sweeper from 6 9 39 to 31 12 39 into Casual Leave with allowance, and to Condone the interruption of Service caused by her absence I am directed to State that there is no provision under the C C S R to

on short leave

The Commutation of unauthorised absence
can be treated with allowances. Also, there
are no grounds for showing leniency
any concession with regard to the
deductions caused by her unauthorised
absence. In the circumstances, your
proposal does not commend itself to
Govt that she is allowed to count only
her previous service for pension under
the provisions of Art 368 of S R
the records of the service reflect accordingly.

2 Lowe 16/2/48

Jain 17/2/48

Dr Rev Secy

Case 17/2/48

Dr
17-2-48

Copy sent to the Comptroller for
information with his letter No
220/CLAD dated 24/2/1949

BO

Asa
Jr Secy to Govt